



CITY OF DURHAM | DURHAM COUNTY  
NORTH CAROLINA



ZONING MAP CHANGE REPORT

Meeting Date: December 19, 2011

Table A. Summary			
Application Summary			
Case Number	Z1100010	Jurisdiction	City
Applicant	Seahawk Partners, LLC	Submittal Date	April 11, 2011
Reference Name	Seahawk Trail	Site Acreage	2.51
Location	4528 Farrington Road, on the east side of Farrington Road opposite Stockton Way		
PIN(s)	0709-01-45-0565, -0279, -0400, -2419, -1358, -35-9260 (partial)		
Request			
Proposed Zoning	Residential Suburban - 10 (RS-10))	Proposal	Single-family residential
Site Characteristics			
Development Tier	Suburban		
Land Use Designation	Low Density Residential (4 DU/Ac. or less)		
Existing Zoning	Residential Suburban – 20 (RS-20)		
Existing Use	Residential and vacant residential		
Overlay	F/J-B, MTC	Drainage Basin	Jordan Lake
River Basin	Cape Fear	Stream Basin	New Hope Creek
Determination/Recommendation/Comments			
Staff	Staff determines that this request is consistent with the <i>Comprehensive Plan</i> and other adopted policies and ordinances.		
Planning Commission	Approval, 12 – 0 on June 14, 2011. The Planning Commission finds that the ordinance request is consistent with the adopted <i>Comprehensive Plan</i> . The Commission believes the request is reasonable and in the public interest and recommends approval based on comments received at the public hearing, the information in the staff report.		
DOST	None provided		
BPAC	None provided		

## A. Summary

This is a request to change the zoning designation on six parcels (one of the six parcels is only partially included) totaling 2.51 acres from RS-20 to RS-10 for single-family residential

development. The subject property has frontage along Farrington Road (4526-4534), on the east side of Farrington Road opposite Stockton Way (see Attachment 1, Context Map). This request is consistent with the future land use designation of the *Comprehensive Plan* which designates this parcel as Low Density Residential (4 DU/Ac. or less). Appendix A provides supporting information.

## **B. Site History**

There have been no recent zoning requests for this site.

## **C. Review Requirements**

Planning staff has performed a sufficiency review for this Zoning Map Change request (reference UDO Sec. 3.2.4, Application Requirements [general] and 3.5.5, Application Requirements [for a Zoning Map Change]). This staff report presents the staff findings per Sec. 3.5.8, Action by the Planning Director, on the request's consistency with the Unified Development Ordinance and applicable adopted plans.

This review is based primarily on compliance with any applicable laws, plans, or adopted policies of City Council. Any issues or concerns raised in this report are based on best professional planning practice unless they have a basis in adopted plans, policies, and/or laws.

## **D. Unified Development Ordinance (UDO) Compliance**

This request is consistent with the requirements of the Unified Development Ordinance. There is no development plan associated with this request. As such, there are no voluntary limitations imposed on the requested RS-10 zoning district.

Appendix D provides supporting information.

**Determination.** If the requested RS-10 district is approved, this request would allow for single family development on lots of 10,000 square feet or greater. The current zoning designation requires a minimum lot size of 20,000 square feet.

## **E. Adopted Plans**

A zoning map change request must be consistent with the *Comprehensive Plan*. As such, other adopted plans have been included by reference in this document. Table E, Adopted Plans, in Appendix E identifies the applicable policies of the *Comprehensive Plan* and other adopted plans included by reference.

**Determination.** The requested zoning district is consistent with Future Land Use Map as well as other applicable policies of the *Durham Comprehensive Plan* and ordinance provisions.

## F. Site Conditions and Context

**Site Conditions.** This site is mostly tree covered with the exception of a single-family structure at the rear of the property and two outbuildings in a clearing near the driveway frontage along Farrington Road (see Attachment 3, Aerial Photography). The site slopes approximately 30 feet towards Farrington Road where, according to the Durham County Soil Survey, a stream runs through four of the lots. A stream buffer will be required if the presence of the stream on site is verified.

**Area Characteristics.** This site is in the Suburban Tier in an area transitioning from a mixture of vacant land used for agriculture or forestry with large-lot single-family residential uses to residential subdivisions at higher densities with a range of housing types.

Appendix F provides a summary of the uses and zoning in the more immediate vicinity of the subject site.

**Determination.** The proposed RS-10 district meets the ordinance and policy requirements in relation to site and context and is a reasonable request given the surrounding uses. RS-10 would allow the lots to be recombined for single-family development in such a way to preserve the stream buffer along the frontage of Farrington Road while maintaining the same lot yield as the current density.

## G. Infrastructure

The impact of the requested change has been evaluated to suggest its potential impact on the transportation system, water and sewer systems, and schools. In each case, the impact of the change is evaluated based upon a change from the most intense development using the existing land use and zoning to the most intense use allowed under the request.

See Appendix G for additional information.

**Determination.** The proposed RS-10 district is consistent with *Comprehensive Plan* policies regarding infrastructure impacts.

## H. Staff Analysis

Staff has determined that this request is consistent with the *Comprehensive Plan* and other adopted policies and ordinances. At present three of the four lots along Farrington Road are unbuildable due to the required stream buffer. The fourth lot would require a stream crossing permit for access to the buildable area. The RS-10 district allows the same range of uses as the present designation of RS-20. Typically, the lot standards for RS-10 would allow for a higher density. However, this site appears to have environmental impacts that would prevent the recombining of this site to a higher density than presently permitted.

## I. Contacts

Table I. Contacts		
<b>Staff Contact</b>		
Amy Wolff, Senior Planner	Ph: 919-560-4137, ext. 28235	Amy.Wolff@DurhamNC.gov
<b>Applicant Contact</b>		
Agent: Charles Ripley	Ph: 919-272-5700	ripley.inc@frontier.com

## J. Notification

Staff certifies that newspaper advertisements, letters to property owners within 600 feet of the site and the posting of a zoning sign on the property has been carried out in accordance with Section 3.2.5 of the UDO. In addition, the following neighborhood organizations were mailed notices:

- Inter-Neighborhood Council
- Friends of Durham
- Unity in the Community for Progress
- Trenton Homeowner Association
- Town of Chapel Hill
- Chicopee Trail Area
- Fayetteville Street Planning Group

## K. Summary of Planning Commission Meeting June 14, 2011 (Case Z1100010)

**Zoning Map Change Request:** RS-20 to RS-10

**Staff Report:** Ms. Wolff presented the staff report.

**Public Hearing:** Chair Brown opened the public hearing. One person spoke in favor and one person spoke against. Chair Brown closed the public hearing.

**Commission Discussion:** Commission discussion centered around the maximum number of units.

**Motion:** Recommend Approval (Mr. Brine, Ms. Winders 2<sup>nd</sup>)

**Action:** Motion carried, 12-0.

**Findings:** The Planning Commission finds that the ordinance request is consistent with the adopted *Comprehensive Plan*. The Commission believes the request is reasonable and in the public interest and recommends approval based on comments received at the public hearing, the information in the staff report.

## L. Supporting Information

Table K. Supporting Information		
Applicability of Supporting Information		
Appendix A	Application	Attachments: <ol style="list-style-type: none"> <li>1. Context Map</li> <li>2. Future Land Use Map</li> <li>3. Aerial Photography</li> <li>4. Application</li> <li>5. Owner's Acknowledgement</li> <li>6. Submittal and Review History</li> </ol>
Appendix B	Site History	No supplemental materials.
Appendix C	Review Requirements	No supplemental materials.
Appendix D	Unified Development Ordinance	Table D1: Designation Intent Table D2: District Requirements
Appendix E	Adopted Plans	Table E: Adopted Plans
Appendix F	Site Conditions and Context	Table F: Site Context
Appendix G	Infrastructure	Table G1: Road Impacts Table G2: Transit Impacts Table G3: Utility Impacts Table G4: Drainage/Stormwater Impacts Table G5: School Impacts Table G6: Water Impacts
Appendix H	Staff Analysis	No supplemental materials.
Appendix I	Contacts	No supplemental materials.
Appendix J	Notification	No supplemental materials.
Appendix K	Summary of Planning Commission Meeting	Attachments: <ol style="list-style-type: none"> <li>7. Planning Commissioner's Written Comments</li> <li>8. Ordinance Form</li> </ol>

## Appendix A: Application Supporting Information

Attachments:

1. Context Map
2. Future Land Use Map
3. Aerial Photography
4. Application
5. Owner's Acknowledgement
6. Submittal and Review History

## Appendix D: Unified Development Plan Supporting Information

Table D1. UDO Designation Intent	
RS-10	<p><b>Residential Suburban:</b> the RS-10 district is established to provide for suburban residential development and redevelopment with a minimum lot size of 10,000 square feet. A variety of single-family housing types are permitted. While RS-10 is a residential district, certain nonresidential uses may be sought through a special use permit, such as day care facilities and places of worship, or other uses designated in the limited provisions of the ordinance.</p>
F/J-B	<p><b>Falls/Jordan District B Watershed Protection Overlay:</b> The purpose this overlay district is to preserve the quality of the region's drinking water supplies through application of the development standards intended to protect the environment. In general, water supply protection will be accomplished by establishing and maintaining low intensity land use and development on land near the region's water supply rivers and reservoirs. Where high density development is desired, water supply protection will be accomplished through the use of engineered stormwater controls. The overall objective is to:</p> <ul style="list-style-type: none"><li>• Reduce the risk of pollution from stormwater running off of paved and other impervious surfaces; and</li><li>• Reduce the risk of discharges of hazardous and toxic materials into the natural drainage system tributary to drinking water supplies.</li></ul>
MTC	<p><b>Major Transportation Corridor Overlay:</b> The Major Transportation Corridor Overlay (MTC) is established to enhance the economic and aesthetic appeal and orderly development of properties adjacent to major transportation corridors. The MTC district requires buffers next to major transportation corridors and limits the height of signs.</p>

Table D2. District Requirements – RS-10			
	Code Provision	Required	Proposed
Minimum Lot Area (square feet)	6.3.1.A	10,000	n/a
Minimum Lot Width	7.1.2.B	75	n/a

## Appendix E: Adopted Plans Supporting Information

Table E. Adopted Plans	
<b>Comprehensive Plan</b>	
<b>Policy</b>	<b>Requirement</b>
<b>Future Land Use Map</b>	Low Density Residential (4 DU/Ac. or less)
<b>2.2.2b</b>	Demand for Residential Land
<b>8.1.2m</b>	Transportation Level of Service
<b>8.1.6d</b>	Development Review and Adopted Transportation Plans
<b>9.4.1a, c</b>	Water Quantity and Quality Level of Service
<b>11.1.1a</b>	School Level of Service
<b>Southwest Durham – Southeast Chapel Hill Collector Street Plan</b>	
This site is along the portion of Farrington Road that has been identified as Southwest Durham Drive on the Adopted CSP Network, April 11, 2007.	
<b>New Hope Creek Open Space Master Plan</b>	
This site is in the vicinity of the New Hope Creek Open Space Master Plan but not within the geographic extent of the plan. There are no specific recommendations from the plan that would impact this site.	

## Appendix F: Site Conditions and Context Supporting Information

Table F. Site Context			
	Existing Uses	Zoning Districts	Overlays
<b>North</b>	Recreation center, Single-family residential	RS-20	F/J-B, MTC
<b>East</b>	Single-family residential	RS-20, PDR 2.720	F/J-B, MTC (partial)
<b>South</b>	Single-family residential	PDR 2.720	F/J-B, MTC
<b>West</b>	Multi-family residential	PDR 3.970	F/J-B, MTC

## Appendix G: Infrastructure Supporting Information

Table G1. Road Impacts		
Farrington Road is the major road impacted by the proposed zoning change. The planned Southwest Durham Drive Corridor is located adjacent to the site along Farrington Road, and the US 15-501 Transit Corridor is located to the west of this site adjacent to the I-40 right-of-way. There are no scheduled City of Durham or NCDOT roadway improvement projects in the area.		
Affected Segments		Farrington Road
Current Roadway Capacity (LOS D) (AADT)		11,100
Latest Traffic Volume (AADT)		7,000
Traffic Generated by Present Designation (average 24 hour)*		48
Traffic Generated by Proposed Designation (average 24 hour)**		86
Impact of Proposed Designation		+38

Source of LOS Capacity: FDOT Generalized Level of Service Volume Table 4-1 (2009)

Farrington Road: 2-lane major city/county roadway without left-turn lanes.

Source of Latest Traffic Volume: 2009 NCDOT Traffic Count Map

\*Assumption- (Max Use of Existing Zoning) –RS-20: 5 single-family homes

\*\* Assumption- (Max Use of Proposed Zoning) – RS-10: 9 single-family homes

Table G2. Transit Impacts
Transit service is not currently provided within ¼ mile of this site.

Table G3. Utility Impacts
This site is served by City water and sewer.

Table G4. Drainage/Stormwater Impacts
The impacts of any change will be assessed at the time of site plan review.



<b>Table G5. School Impacts</b>			
The proposed zoning is estimated to generate three students if developed to its maximum intensity. This represents an increase of one student over the present zoning designation. Durham Public Schools serving the site are Creekside Elementary School, Githens Middle School, and Jordan High School.			
<b>Students</b>	<b>Elementary School</b>	<b>Middle School</b>	<b>High School</b>
<b>Current Building Capacity</b>	15,864	8,647	9,916
<b>Maximum Building Capacity (110% of Building Capacity)</b>	17,450	9,512	10,908
<b>20<sup>th</sup> Day Attendance (2011-12 School Year)</b>	15,827	7,008	9,686
<b>Committed to Date (October 2008 – September 2011)</b>	433	141	91
<b>Available Capacity</b>	1,190	2,363	1,131
<b>Potential Students Generated – Current Zoning*</b>	1	0	1
<b>Potential Students Generated – Proposed Zoning**</b>	1	1	1
<b>Impact of Proposed Zoning</b>	0	+1	0

\*Assumption- (Max Use of Existing Zoning) –RS-20: 5 single-family homes

\*\* Assumption- (Max Use of Proposed Zoning) – RS-10: 9 single-family homes

Table G6. Water Supply Impacts	
This site is estimated to generate a demand for 1,395 GPD if developed to its maximum potential with the proposed zoning district. This represents an increase of 620 GPD over the existing zoning district.	
Current Water Supply Capacity	37.00 MGD
Present Usage	30.73 MGD
Approved Zoning Map Changes (October 2008 –September 2011)	0.77 MGD
Available Capacity	5.5 MGD
Estimated Water Demand Under Present Zoning*	775 GPD
Potential Water Demand Under Proposed Zoning**	1,395 GPD
Potential Impact of Zoning Map Change	+620 GPD

*Notes: MGD = Million gallons per day*

\*Assumption- (Max Use of Existing Zoning) –RS-20: 5 single-family homes

\*\* Assumption- (Max Use of Proposed Zoning) – RS-10: 9 single-family homes

## Appendix K: Summary of Planning Commission Meeting Supporting Information

Attachments:

7. Planning Commissioner's Written Comments
8. Ordinance Form